

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(ALEXANDRIA DIVISION)**

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PABLO QUIROGA and	)	
MARIA DAVIS,	)	
Plaintiffs,	)	
v.	)	
GMAC MORTGAGE, LLC,	)	
BANK OF AMERICA, as successor by	)	
Merger to LaSalle Bank N.A. as Trustee	)	
for RAMP 2007RZ1,	)	
RAMP SERIES 2007-RZ1 Trust,	)	Civil Action No. 1:10cv331
MORTGAGE ELECTRONIC	)	
REGISTRATION SYSTEM, INC.,	)	
MORTGAGEIT, INC.,	)	
SPECIALIZED INC. OF VIRGINIA,	)	
CHICAGO TITLE INSURANCE CO.,	)	
JOHN & JANE DOE CERTIFICATE	)	
HOLDERS of Mortgage Asset-Backed	)	
Pass-Through Certificates,	)	
Series 2007-RZ1, I-M, <i>et al.</i> ,	)	
Defendants.	)	

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**DEFENDANT GMACM'S MOTION TO DISMISS PLAINTIFFS' COMPLAINT**

COMES NOW GMAC MORTGAGE, LLC, (hereinafter, "GMACM" or  
"Defendant"), Defendant in the above-captioned action, by and through its undersigned counsel,  
and pursuant to Rule 12 (b) (6) of the Federal Rules of Civil Procedure, hereby submits its  
Motion to Dismiss the Complaint filed by Plaintiffs **PABLO QUIROGA and MARIA DAVIS**  
(hereinafter, "Plaintiffs"). In support thereof, Defendant GMACM submits it accompanying

Memorandum of Law.

**Respectfully submitted,  
GMAC MORTGAGE, LLC  
By Counsel**

/s/

**S. Ricardo Narvaiz  
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Silver Spring, Maryland 20910  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 27<sup>th</sup> day of April, 2010, I filed a copy of the foregoing pleading with the Clerk of Court using the CM/ECF System in the above-referenced case and that I sent the foregoing pleading by e-mail to the following:

Christopher E. Brown, Esq.  
R. Michael Smith, Esq.  
Brown, Brown & Brown, P.C.  
6269 Franconia Road  
Alexandria, VA 22310  
Counsel for Plaintiffs

Megan S. Ben'Ary, Esq.  
Kevin P. Oddo, Esq.  
LeClair Ryan, P.C.  
2318 Mill road, Suite 1100  
Alexandria, VA 22314  
Counsel for Defendant Specialized, Inc. of Virginia

I hereby certify, that on this 27th day of April, 2010, a copy of the foregoing pleading was mailed, postage prepaid to the following:

Bank of America, N.A.  
Office of the President  
100 North Tryon Street  
Charlotte, NC 28255

Ramp Series 2007-RZ1 Trust  
8400 Normandale Lake Blvd., Suite 600  
Minneapolis, MN 55437

Mortgage Electronic Registration System, Inc.  
1818 Library Street  
Reston, VA 20190

Mortgageit, Inc.  
33 Maiden Lane, 6<sup>th</sup> Floor  
New York, NY 20038

Chicago Title Insurance Co.  
5875 Trinity Parkway, Suite 210  
Centreville, VA 20120

/s/  
S. Ricardo Narvaiz

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Defendants. )	

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**ORDER**

THE COURT, having considered the motion to dismiss of GMAC Mortgage, LLC, and the Court also having considered the opposition of plaintiffs thereto, if any, finds that defendant's referenced motion should be and hereby is, **GRANTED**. It is hereby ORDERED, that plaintiffs' complaint against GMAC Mortgage, LLC is dismissed for failure to state a claim.

**IT IS SO ORDERED.**

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**JUDGE OF THE U.S. DISTRICT COURT**

Dated: \_\_\_\_\_